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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,672	11/20/2001	Young-jin Hong	030681-330	9036
21839	7590	10/24/2005		
BUCHANAN INGERSOLL PC (INCLUDING BURNS, DOANE, SWECKER & MATHIS) POST OFFICE BOX 1404 ALEXANDRIA, VA 22313-1404			EXAMINER POND, ROBERT M	
			ART UNIT 3625	PAPER NUMBER

DATE MAILED: 10/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/988,672

Applicant(s)

HONG, YOUNG-JIN

Examiner

Robert M. Pond

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/01;8/04;8/04</u> . | 6) <input type="checkbox"/> Other: _____  |

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## **DETAILED ACTION**

### ***Election/Restrictions***

Upon further review of claim construction, the Examiner is withdrawing restriction of claims 1-8 and 9-18. All pending claims 1-18 were examined in this first non-final office action.

### ***Specification***

1. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-8 are rejected under 35 USC 103(a) as being unpatentable over Jalili (US 6,088,683) in view of Official Notice (regarding old and well-known in the arts hereinafter referred to as "ON1").**

Jalili teaches a secure purchasing transaction method using a telephone number and shopper's PIN (see at least abstract; Fig. 1; col. 1, lines 22-50). Jalili further teaches:

- receiving a temporary password and purchasing conditions from a user through telephone connection: shopper submit purchasing to a merchant using a public network (e.g. Internet); shopper uses personal identification number (PIN) as a security feature. Inherent in Jalili are the structures necessary to permit the use of the Internet using a telephone connection. For example, support for dial-up connection from a shoppers home telephone line. (see at least col. 1, lines 22-34; col. 2, lines 1-27).
- retrieving article information meeting the purchasing conditions received in step (a), after ending the telephone connection: merchant processes shopper request(s) during or after connection is broken (see at least col. 2, lines 15-27).
- setting telephone connection to the user using the user s originator telephone number and confirming the user using the temporary password received in step (a): to complete the sale the customer accesses a processing center using a touch-tone phone or modem connection. Shopper is identified by the telephone system's CallerID function plus PIN (see at least col. 2, lines 40-48).
- providing the article information retrieved in step (b) and arranging a transaction according to the user s selection: shopper completes the sale

(see at least col. 2, lines 49-67); price and total price charged by merchant  
(see at least col. 2, lines 35-39).

- Voice interaction: uses voice response system mode; information conveyed to shopper (see at least col. 2, lines 49-62).
- providing transaction details: (see at least col. 2, lines 40-62).
- setting telephone connection to the user using the originator telephone number: shopper connected via telephone connection to complete transaction (see at least col. 2, lines 40-44).

Jalili teaches all the above as noted under the 103(a) rejection and teaches the use of shopper personal identification number (PIN) in a two-phase shopper authentication system and method, but does not disclose the PIN as a temporary password. The Examiner takes the position that it is old and well-known in the arts that PINs used as temporary passwords provide additional security for the shopper. Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the system and method Jalili to use temporary PINs as taught by ON1, in order to provide additional security.

3. **Claims 9-18 are rejected under 35 USC 103(a) as being unpatentable over Jalili (US 6,088,683) in view of ON1 (regarding old and well-known in the arts), further in view of Official Notice (regarding old and well-known in the art hereinafter referred to as "ON2").**

Jalili teaches a secure purchasing transaction method using a telephone number and shopper's PIN (see at least abstract; Fig. 1; col. 1, lines 22-50). Jalili further teaches:

- receiving a temporary password and purchasing conditions from a user through telephone connection: shopper submit purchasing to a merchant using a public network (e.g. Internet); shopper uses personal identification number (PIN) as a security feature. Inherent in Jalili are the structures necessary to permit the use of the Internet using a telephone connection. For example, support for dial-up connection from a shoppers home telephone line. (see at least col. 1, lines 22-34; col. 2, lines 1-27).
- retrieving article information meeting the purchasing conditions received in step (a), after ending the telephone connection: merchant processes shopper request(s) during or after connection is broken (see at least col. 2, lines 15-27).
- setting telephone connection to the user using the user s originator telephone number and confirming the user using the temporary password received in step (a): to complete the sale the customer accesses a processing center using a touch-tone phone or modem connection. Shopper is identified by the telephone system's CallerID function plus PIN (see at least col. 2, lines 40-48).
- providing the article information retrieved in step (b) and arranging a transaction according to the user s selection: shopper completes the sale

(see at least col. 2, lines 49-67); price and total price charged by merchant

(see at least col. 2, lines 35-39).

- Voice interaction: uses voice response system mode; information conveyed to shopper (see at least col. 2, lines 49-62).
- providing transaction details: (see at least col. 2, lines 40-62).
- setting telephone connection to the user using the originator telephone number: shopper connected via telephone connection to complete transaction (see at least col. 2, lines 40-44).

Jalili teaches all the above as noted under the 103(a) rejection and teaches the use of shopper personal identification number (PIN) in a two-phase shopper authentication system and method, but does not disclose the PIN as a temporary password. The Examiner takes the position that it is old and well-known in the arts that PINs used as temporary passwords provide additional security for the shopper. Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the system and method Jalili to use temporary PINs as taught by ON1, in order to provide additional security.

Jalili and ON1 teach all the above as noted under the 103(a) rejection and teach a) the shopper completing the transaction via a telephone connection to a processing center, and b) billing to a shopper's credit card, but do not disclose billing the shopper's telephone number. The Examiner takes the position that it is old and well-known in the arts to bill a telephone subscriber's telephone account for charges other than for call's made as a billing convenience for the subscriber.

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Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the system and method Jalili and ON1 to bill a subscriber for charges other than for calls made as taught by ON2, in order to provide additional billing convenience for shoppers, and thereby attract more shoppers to the service.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US 6,012,144 (Pickett) 04 January 2000; teaches security using Internet and telephone system.
- US 4,916,738 (Chandra et al.) 10 April 1990 ; teaches prior art callback systems.
- US 4,779,224 (Moseley et al.) 18 October 1988; teaches callback system and password use.
- McCarthy, Vance; "New tools authenticate remote users," Datamation, September 1966, v42i15pg92, Proquest #10220487, 5pgs; teaches callback systems relying upon temporary passwords in a two-phase authentication method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Pond whose telephone number is 571-272-6760. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Wynn Coggins can be reached on 571-272-7159. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'R. M. Pond', with a stylized, cursive script.

Robert M. Pond  
Primary Examiner  
October 17, 2005